

BUSINESS AFFAIRS AND HUMAN RESOURCES
MARCH 7–8, 2002

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INFORMATION ITEM

SUBJECT

Audits and Financial Reports

BACKGROUND

In compliance with Board Policy, the following audits for the fiscal year ended June 30, 2001, are submitted to the Board. Copies of the audits are on file at the Office of the State Board of Education and may be requested by calling 208-332-1581.

BOISE STATE UNIVERSITY

Boise State University Foundation, Inc. Audit Report
Bronco Athletic Association, Inc. Audit Report

IDAHO STATE UNIVERSITY

Idaho State University Foundation Audit Report
Bengal Foundation Audit Report

UNIVERSITY OF IDAHO

University of Idaho Foundation, Inc. Audit Report
University of Idaho Foundation, Inc. Consolidated Investment Trust Audit Report

LEWIS-CLARK STATE COLLEGE

Lewis-Clark State College Foundation Inc. Audit Report

In accordance with Idaho Code 33-705, the Student Activity Funds report is submitted to the Board.

IDAHO SCHOOL FOR THE DEAF AND THE BLIND

Student Activity Funds Report as of February 19, 2002

STAFF COMMENTS

The audits were completed by Deloitte & Touche. Each audit has an unqualified opinion on the financial statements. The financial statements contain balance sheet information, a statement of revenues, expenditures and changes in fund balances, and a statement of changes in cash.

BOARD ACTION

None required.

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INFORMATION ITEM
IDAHO SCHOOL FOR THE DEAF AND THE BLIND

ISDB submits the following record of the Student Activity Funds for Board review in accordance with Idaho Code 33-705.

STUDENT ACTIVITY FUNDS AS OF FEBRUARY 19, 2002. BELOW LISTING OF
STUDENT ACTIVITY FUNDS IS A REPORT SUBMITTED TO STATE BOARD OF
EDUCATION IN ACCORDANCE WITH IDAHO CODE 33-705.

	BAL-12/27/01	BAL-02/19/02	INC/(DEC)
SALES TAX	138.07	393.31	255.24
ATHLETICS	7,401.93	7,740.91	338.98
WSBC	2,833.60	6,975.17	4,141.57
ATHLETIC APPAREL	294.60	404.55	109.95
GIRLS SOCCER FUND	232.04	232.04	0.00
CHEERLEADING	415.37	415.37	0.00
M.S. CHEERLEADING	70.00	70.00	0.00
CLASS OF 2002	979.81	1,479.81	500.00
CLASS OF 2003	1,460.43	1,460.43	0.00
CLASS OF 2004	151.05	151.05	0.00
CLASS OF 2005	40.00	44.00	4.00
MAINT. BREAK ROOM	145.20	145.20	0.00
COTTAGE FUND	313.07	313.07	0.00
ELEM ACTIVITIES	61.65	61.65	0.00
PARENTS ADVISORY COM	168.61	168.61	0.00
M.S. STUDENT COUNCIL	36.63	36.63	0.00
H.S. STUDENT COUNCIL	812.12	812.12	0.00
JOURNALISM	584.98	584.98	0.00
ED STAFF POP MACHINE	1,001.47	1,116.21	114.74
HEALTH & WELLNESS	436.00	391.00	-45.00
STUDENT ACT. FUND	5,275.35	5,131.08	-144.27
WORK EXPERIENCE	67.17	67.17	0.00
RAPTOR JAVA (NEW)	489.03	409.46	-79.57
STUDENT BOOK CLUB	142.10	142.10	0.00
ACCELERATED READER	69.22	69.22	0.00
DRAMA FUND	36.92	36.92	0.00
ADVENTURERS	116.09	116.09	0.00
SUMMER DEAF CAMP	4,539.41	4,539.41	0.00
ART FUND	276.52	276.52	0.00
YEARBOOKS	1,891.90	1,903.80	11.90
LIONS WINTER CAMP	2.17	2.17	0.00
HRG AID MOLD & REPAIRS	775.16	500.87	-274.29
HA GIFT F/HRG CM TCH	68.58	68.58	0.00
PERSONAL STUDENT ACCT	690.81	677.33	-13.48
STUDENT AID	<u>1,092.05</u>	<u>1,131.48</u>	<u>39.43</u>
TOTALS	\$33,109.11	\$38,068.31	\$4,959.20

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INSTITUTION / AGENCY AGENDA
IDAHO STATE UNIVERSITY

SUBJECT

Idaho State University requests approval to change an existing easement, as described in the *Correction Deed to "Easement" and Relinquishment of Right, Title, and Interest to Land Described in Instrument No. 479711 in the Office of the Bannock County Clerk and Recorder, Pocatello, Idaho* (Exhibit A).

BACKGROUND

In April 1971, the State Board of Education approved and executed a document entitled "Easement" to the City of Pocatello. The document conveyed a "permanent easement and right-of-way" to the City of Pocatello for a strip of land one hundred feet wide to be developed by the City as a public right-of-way later known as Birdie Thompson Drive. Because of the language regarding conveyance and references to right-of-way, the document was considered to have been a conveyance of the land to the City, and the land was noted in the records of the City and the County as a public right-of-way for Birdie Drive (later Birdie Thompson Drive). The roadway was constructed and used as a public right-of-way, with attendant utility lines, cuts, grading, paving, catch basins, and the like, but with no more than sixty feet of improvements.

DISCUSSION

Over the course of the years, several adjacent landowners requested that the city vacate those unused portions of the right-of-way, which were adopted by the City Council of the City of Pocatello and recorded in the Bannock County records. It has recently come to the attention of the city and Idaho State University, that the document was actually entitled "Easement" yet contains language which conveys a "right-of-way" to the city in addition to conveying easement rights, which has caused confusion and could possibly cloud the title for those persons to whom the land was transferred. ISU has no realistic interest in or use for the land and desires to accommodate the city in this matter.

IMPACT

This action will quick claim deed two 20-foot wide strips of land on both sides of a public street to the City of Pocatello. This will clear the title to the land for the City.

STAFF COMMENTS

Since the property is not useful to ISU and there is no market value, approve the request.

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INSTITUTION / AGENCY AGENDA
IDAHO STATE UNIVERSITY continued

BOARD ACTION

A motion to approve the *Correction Deed to “Easement” and Relinquishment of Right, Title, and Interest to Land Described in Instrument No. 479711 in the Office of the Bannock County Clerk and Recorder, Pocatello, Idaho*, as identified in EXHIBIT A.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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EXHIBIT A

CORRECTION DEED TO "EASEMENT"
AND RELINQUISHMENT OF RIGHT, TITLE, AND INTEREST TO LAND
DESCRIBED IN INSTRUMENT NO. 479711 IN THE OFFICE OF THE
BANNOCK COUNTY CLERK AND RECORDER, POCA TELLO, IDAHO

THIS INSTRUMENT is made this _____ day of _____, 2002,
by the Idaho State Board of Education acting as the Board of Trustees of Idaho State
University, ("the Board"), the original Grantor of Instrument No. 479711.

WITNESSETH:

WHEREAS, in April of 1971, the Board executed a document entitled
"Easement" to the City of Pocatello, which document was recorded on May 13, 1971, in
Book No. 240 as Instrument No. 479711 in the records of the Clerk of Bannock County,
Idaho; and

WHEREAS, said document conveyed a "permanent easement and right of way"
to the City of Pocatello for a strip of land one hundred feet wide to be developed by the
City as a public right of way later known as Birdie Thompson Drive; and

WHEREAS, because of the language regarding conveyance and references to
right of way, the document was considered to have been a conveyance of the land to the
City, and the land was noted in the records of the City and the County as a public right-
of-way for Birdie Drive (later Birdie Thompson Drive); and

WHEREAS, the roadway was thereafter duly constructed and used as a public
right-of-way, with attendant utility lines, cuts, grading, paving, catch basins, and the like,
but with no more than sixty feet of improvements; and

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WHEREAS, over the course of the years, several adjacent landowners requested vacation of those unused portions of the right of way, which vacations after full public hearing and compliance with state laws were duly executed by ordinances adopted by the City Council of the City of Pocatello and recorded in the records of the Clerk of Bannock County, Idaho; and

WHEREAS, it has recently come to the attention of the City and Idaho State University that the document was actually entitled "Easement" yet contains language which conveys a "right of way" to the City in addition to conveying easement rights, which confusion could cloud the title for those persons to whom the land was transferred in accordance with Idaho State Code Section 33-3005 after vacation of the right of way; and

WHEREAS, the Board is willing to undertake corrective measures as needed to relinquish any of its remaining right, title, or interest to the said lands as there is no use to Idaho State University to own and maintain two twenty-foot wide strips of land on both sides of a public street; and

WHEREAS, the Board, as the controlling entity regarding real property owned by ISU, has been apprised of this situation and has approved of a Correction Deed to clear title to the land in question;

NOW, THEREFORE, in consideration of the sum of \$1.00 and other good and valuable consideration, receipt of which is hereby acknowledged, the Board acting for Idaho State University, Grantor, does hereby quit claim all of its right, title, and interest in and to the following described real property to the City of Pocatello, a municipal corporation of Idaho, Grantee:

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A 100 foot wide strip of land in the West half of the East half of the NW quarter of Section 30, T.6S., R.35 E.B.M., Bannock County, Idaho, being 50.0 feet each side of the following described centerline said strip of land starting adjacent to the West line of said West half of the East half of the NW quarter, Section 30:

Beginning at a point on the West line of said West half, East half, NW quarter, Section 30, said point being S 00° 09'23" E., 641.46 feet from the Northwest corner of the SE quarter of the NW quarter, Section 30, T.6S., R.35 E.B.M.; thence along an arc of a circular curve to the left with a radius of 2,864.79 feet through a central angle of 05°40'40" for a distance of 283.89 feet; thence N 38°40'42"E, a distance of 545.42 feet to the North line of the SE quarter of the NW quarter, Section 30; thence continuing N 38°40'42" E a distance of 204.78 to a point on the East line of the West half of the East half of the NW quarter, Section 30, said point being N 00°09'27" W a distance of 160.51 feet from the Southeast corner of the West half of the NE quarter of the NW quarter, Section 30, T.6S., R. 35 E.B.M.

DATED this _____ day of _____, 2002.

IDAHO STATE UNIVERSITY, a body
corporate and politic

BY:
Karen McGee
President, Idaho State Board of Education

STATE OF IDAHO)
)
) ss:
County of Ada)

NOTARY PUBLIC FOR IDAHO
Residing in: _____
My commission expires: _____

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO

SUBJECT

Ref: Regents' Minutes for September 19-20, 1996, p. 42

Request approval to offer an educational benefit and access to recreational facilities to the salaried personnel of the Moscow Fire Department via approval of the attached amendment (EXHIBIT B) to the University of Idaho's Agreement for Fire Response and Suppression Services. A similar agreement was approved by the Regents in September 1996 for Moscow Police Department.

BACKGROUND

The University of Idaho contracts with the City of Moscow for fire response and suppression services for the Moscow campus. The City owns and maintains the necessary equipment and the appropriate level of administrative personnel and has established a volunteer fire department whose members are trained to provide fire response and suppression services 24 hours per day, seven days per week.

DISCUSSION

The University's collaborative relationships with the City of Moscow for both police and fire services have worked successfully for many years. If the University chose not to contract with the City for police and fire services, it would have to hire and train staff and purchase its own equipment to provide for a safe and secure campus.

As previously approved by the Regents, the 1996 contract between the University and the City for police services provides for employees of the Moscow Police Department to receive equivalent of the reduced fee available to employees and their spouse pursuant to Board policy V.R.1.a.(8) and to have access to University recreational facilities on the same basis as University employees. The University seeks the Board's approval to extend the availability of the reduced fee to salaried employees of the Moscow Fire Department. Further, the University seeks the Board's approval to provide salaried employees of the Moscow Fire Department with access to the University's recreational facilities on the same basis as employees of the Moscow Police Department.

Extending the reduced fee benefit and use of recreational facilities to the small number of Moscow Fire Department salaried personnel would enhance the collaborative working relationship with the City and be helpful to the City in its efforts to recruit and retain a high-quality professional staff for the fire department.

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO continued

IMPACT

The fiscal impact to the University would be negligible. Currently there are only five salaried personnel in the Moscow Fire Department who would be eligible for the educational privilege. This benefit would *not* be extended to volunteers and other non-salaried personnel in the fire department.

STAFF COMMENTS

Since the fiscal impact would be limited and provide assistance to the City of Moscow to hire and retain a professional staff for the Fire Department, approve the request.

BOARD ACTION

A motion to approve the University of Idaho's request to amend its *Agreement for Fire Response and Suppression Services with the City of Moscow* to offer an educational privilege and access to recreational facilities to the salaried personnel of the Moscow Fire Department.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

**BUSINESS AFFAIRS AND HUMAN RESOURCES
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EXHIBIT B

**AMENDMENT TO AGREEMENT
FOR
FIRE RESPONSE AND SUPPRESSION SERVICES**

This amends the AGREEMENT dated October 7, 1996 (AGREEMENT) between the CITY OF MOSCOW, a municipal corporation of the State of Idaho (the "City"), whose address is City Hall, Moscow, Idaho 83843, and THE REGENTS OF THE UNIVERSITY OF IDAHO, a public corporation, state educational institution and body politic and corporate organized and existing under the Constitution and laws of the State of Idaho (the "University"), whose address is Office of Administrative Affairs, University of Idaho, Moscow, Idaho 83844-3168.

The Parties hereby agree:

1. Salaried personnel of Moscow Fire Department shall be eligible for the reduced fee benefit described in Board of Regents policy V.R.1.a.(8) as implemented by the UNIVERSITY and shall have access to UNIVERSITY recreational facilities on the same basis as UNIVERSITY employees.
2. Except as expressly supplemented herein, the remainder of the AGREEMENT shall remain in full force and effect in accordance with its terms.

THE REGENTS OF THE UNIVERSITY OF IDAHO

By: _____
Jerry Wallace, Vice President for Finance and Administration

Date: _____

Approved by The Regents of the University of Idaho on
_____, 2002

CITY OF MOSCOW

By: _____
Marshall Comstock, Mayor

Date: _____

ATTEST:

_____, City Clerk

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO

SUBJECT

Ref: Regents' Minutes for April 20-21, 2000, p. 9

Request approval to revise project scope and increase budget for previously approved project as follows:

Current Authorization:	\$ 300,000
Supplementary Authorization:	\$ 1,000,000
Total Authorization:	\$ 1,300,000

BACKGROUND

In April 2000 the Regents approved \$300,000 for the initial pre-design, programming, and space analysis phase of planning for a Education and Performance Facility on the Moscow campus (formerly called "Performing Arts Center").

DISCUSSION

The Education and Performance Facility project consists of a 1,200-seat auditorium suitable for all of the performing arts and teaching and learning spaces that enhance music education for the University. Museum and display space, production preparation and storage facilities, conference spaces, and other office and support spaces are also planned as part of the project. The Facility will meet a need for an intermediate-scaled performance space not currently available on the UI campus or in the region. The University is exploring options to develop the project as a cooperative endeavor with private and public funding partners, and the Facility is the University's top priority request for the FY03 Capital Budget. The University recently received \$1,000,000 in funding for the Facility from the U.S. Department of Housing and Urban Development via the FY2002 Appropriations Act.

This request authorizes further planning and design development work for the Education and Performance Facility. Approval of this project includes approval to execute the necessary contracts for architectural/engineering services and construction contracts to accomplish the scope of work.

IMPACT

The source of funding for this phase of the project is the HUD grant in the amount of \$1,000,000.

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO continued

STAFF COMMENTS

This request will allow the University to develop the planning and design work for the Education and Performance Facility. The University will seek Board approval for the construction of the project when the total construction costs are determined.

BOARD ACTION

A motion to approve the request from the University of Idaho to execute contracts for architectural/engineering services for scope of construction for the Education and Performance Facility in an amount not to exceed \$1,300,000.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO

SUBJECT

Request approval to name Building Three in the Idaho Place Project in honor of Thomas C. Wright.

BACKGROUND

In January 2002, the Board of Regents gave approval for the University to enter into a Facilities Lease with the Idaho State Building Authority (ISBA) wherein the University leases space in the Idaho Place Project beginning in fiscal year 2004. Rental payments under the Facilities Lease enable the ISBA to pay debt service on the bonds. Upon payment of the bonds, the University can continue to lease the Project or acquire title for a nominal sum.

Board policy related to naming/memorializing buildings (Section I.K) provides:

- a. Naming for an administrator, member of the faculty or employee of a unit responsible to the State Board of Education:
 - (1) No building, facility, or administrative unit shall be named for a person currently employed within the system of higher education in Idaho, except when authorized by the Board.
 - (2) Memorialization of a building, facility, or administrative unit for a former employee retired or deceased shall be considered on the basis of the employee's service to education in the state of Idaho. Significant factors will include, but shall not be limited to:
 - (a) Recommendation of the chief executive officer of the institution and the recommendation of the institutional community.
 - (b) Contributions rendered to the academic area to which the building, facility, or administrative unit is primarily devoted.
- b. Naming of a building, facility, or administrative unit for other than a former employee of the system of higher education will be considered by the Board in accordance with subsection a. Additionally, the following shall apply:
 - (1) When deemed appropriate, a facility, building, or administrative unit may be given a nonfunctional name intended to honor and memorialize a specific individual who has made a distinguished contribution to the University.

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO continued

- (2) Name for an individual in recognition of a gift.
 - (a) No commitment for naming shall be made to a prospective donor of a gift prior to Board approval of the proposed name.
 - (b) In reviewing requests for approval to name a facility, building, or administrative unit for a donor, the Board shall consider:
 - i. The nature of the proposed gift and its significance to the institution;
 - ii. The eminence of the individual whose name is proposed; and
 - iii. The individual's relationship to the institution.

DISCUSSION

Significant gifts to the University of Idaho in support of scholarships and other strategic initiatives have been made by Thomas C. Wright through various entities, including the Thomas C. Wright Foundation, the Thomas C. Wright Supporting Organization, and the Thomas C. Wright Revocable Trust (collectively known as the TCW entities). Mr. Wright, a native Idahoan, graduated from the University of Idaho in 1953 with a degree in Teacher Education; he received a master's in his field from the University in 1954.

After teaching at East Junior High and Boise High School in the late 1950s, Wright worked for the publishing firm, Holt, Rinehart and Winston, Inc. He bought a small children's book publishing company in the mid-1970s that became known as The Wright Group. It would grow into one of the most important educational publishing companies worldwide and become known for its innovative educational materials such as The Story Box books, which were used to teach kindergartners and first graders to read. The company has also trained over a half million teachers in workshops.

Wright retired as chairman on February 18, 2000, and has devoted himself to educational philanthropy. He has spent his life in education and helping children and teachers.

This naming recommendation is made in recognition of the professional achievements of Thomas C. Wright in educating students and their teachers, as well as cumulative gift support of the University of Idaho from the TCW entities in excess of \$20 million.

The University wishes to recognize Mr. Wright's generous contributions by naming Building 3 at Idaho Place in Boise in his honor.

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INSTITUTION / AGENCY AGENDA
UNIVERSITY OF IDAHO continued

IMPACT

There is no fiscal impact resulting from naming the facility.

STAFF COMMENTS

Approve the request.

BOARD ACTION

A motion to approve naming Building Three in the Idaho Place Project in honor of Thomas C. Wright.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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DISCUSSION ITEM

JOINT FINANCE - APPROPRIATIONS COMMITTEE UPDATE

SUBJECT

Update on Joint Finance-Appropriations Committee's (JFAC) recommendations for FY03.

BACKGROUND

The Joint Senate Finance and House Appropriations Committees act as the budget committee for the legislature. Ten members from each committee sit as a joint committee and set the appropriations for all state agencies and institutions. Their recommendations are considered by the full Senate and House and then presented to the Governor for his consideration.

DISCUSSION

JFAC has completed setting the budgets for FY03 with the appropriation bills making their way through the full Senate and House. Significant issues for FY03 will be discussed with the Board during the meeting.

IMPACT

The FY03 appropriations establishes the operating budgets for the institutions, agencies, and programs.

BOARD ACTION

None required.

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